

# Morris JamesLLP

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August 22, 2007

**VIA E-FILING**

The Honorable Gregory M. Sleet  
United States District Court  
Federal Building  
844 King Street  
Wilmington, DE 19801-3570

RE: *Kenneth Cole and Brigitte L. Brown v.  
Delaware Technical and Community College  
Civil Action No. 05-270-GMS*

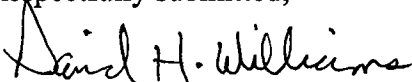
Dear Judge Sleet:

As Your Honor is aware, the pretrial order in the above-referenced case was due on August 13, 2007. By Order dated August 17, 2007, Your Honor ordered the Plaintiffs to serve their portion of the proposed pretrial order on the Defendant by Friday, August 17, 2007. The Defendants are to serve their portion of the proposed pretrial order on the Plaintiffs five business days later.

The Defendant has not received all of the Plaintiffs' portions of the pretrial order. The Defendant will meet its obligations as ordered to serve its portions of the proposed pretrial order on the Plaintiffs. However, in light of the fact we have not received proposed jury instructions and *voir dire* questions, it is unlikely the Court's deadline for submission of the completed pretrial order will be met.

Lastly, Your Honor ordered that the final pretrial order be filed with the Court by the close of business on August 27, 2007. As Your Honor is aware, the Court's standing pretrial order form requires that pretrial briefs be submitted to the Court contemporaneously with the proposed pretrial order. Due to the uncertainties presented by the pretrial delays in this case, the Defendant is working on the pretrial brief but respectfully requests that the pretrial briefs be due on Tuesday, September 4, 2007 rather than Monday, August 27, 2007. This will allow us to give further and full attention to the brief, and importantly, allow our client an opportunity to review same.

Respectfully submitted,

  
David H. Williams (#616)

DHW/taa

cc: Herbert Mondros, Esquire (via e-filing)  
Clerk of the Court (via e-filing)

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